

REMARKS

Reconsideration and withdrawal of the rejections set forth in the Final Office Action dated December 16, 2009, are respectfully requested in view of this amendment. By this amendment, claims 10, 13, 14, 16 and 18 have been amended. Claims 10-19 are pending in this application.

Claim 10 has been amended to describe the loom fitted with a plurality of combs, and to describe providing an overlap extending over at least 50% of a total width of the bands. Support for the loom ("a Raschel flat type of loom fitted with a plurality of combs") is found in the original specification, *inter alia*, at page 4, lines 7-8 and page 8, lines 15-19 (paragraphs [0016] and [0045]-[0049] as published in U.S. Published Application No. 2007-0169876), which describes a particular type of Raschel loom. Support for the overlap extending over at least 50% of a total width of the bands is found at page 10 line 18 - page 11, line 11 (paragraph [0070]).

It is respectfully submitted that the above amendments introduce no new matter within the meaning of 35 U.S.C. §132.

In the outstanding Office Action, the Examiner rejected claims 10-13 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Claims 10-12 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Also, the Examiner objected to claims 13-19 under 37 CFR 1.75(c) as being in improper form. These rejections and objections, as applied to the revised claims, are respectfully traversed.

Claim Objections

The Examiner objected to claims 13-19 as being in improper multiple-dependent form. Applicants have amended claims 3, 14, 16 and 18 (which recite the multiple dependencies) to place them in alternative form.

Applicants submit that the objections of Claims 13-19 are overcome, and it is respectfully requested that the objection be withdrawn.

Rejections Under 35 U.S.C. §112, First Paragraph, Enablement Requirement

The Examiner rejected claims 10-13 under 35 U.S.C. §112, first paragraph, as being indefinite for failing to comply with the enablement requirement. Specifically, the reference to, "the flat knitted fabric are disposed in P-1 and P-2 comb linking structure in a three combs (P-1, P-2, and P-3) Raschel loom," was deemed unclear.

Additionally, the Examiner indicated that there was not enough disclosure to enable one skilled in the art to determine the nature of the Raschel loom. In this regard, the Examiner pointed out that the presence of a third comb was not understood and that, "a comb linking structure," was not clear and concise.

The rejection further cited, "linked to stud chain," and, "linked to knitting," recited in claim 12, as unclear.

Response

By this Response and Amendment, the rejections to claim 10-13 are respectfully traversed, and reconsideration and withdrawal of the rejection are respectfully requested.

35 U.S.C. §112, first paragraph, states that, "The specification shall contain a written description ... in such full, clear, concise, and exact terms as to enable any person skilled in the art ... to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention."

Claim 10 now describes the loom as "a Raschel flat type of loom fitted with a plurality of combs ... using three of said combs." It is respectfully submitted that this finds full support in the specification in the above-mentioned page 4, lines 7-8 and page 8, lines 15-19 (paragraphs [0016] and [0045]-[0049]).

It is also believed that this clarifies a possible ambiguity regarding the "linking structure". Claim 10, as amended, describes, "the polyester threads of the flat knitted fabric are disposed in P-1 and P-2 linking structure." The linking structure is now described as, "linking structure using

three of said combs." Accordingly, the linking structure is described as performed by the combs, which are used to form the structure of the fabric.

The descriptions of, "linked to stud chain," and, "linked to knitting," were deemed unclear. Applicants refer to the specification, at page 9, lines 4-7 (paragraphs [0054] - [0056]), which clearly describes these linkages in terms of the comb movements of three combs:

"Structure of three combs with the following movements:

P-1: 2-0/0-2// linked to the stud chain

P-2: 2-4/2-0// linked to the knitting"

It is therefore respectfully submitted that the rejection under 35 U.S.C. §112, first paragraph, under the enablement requirement, should be withdrawn.

Rejections Under 35 U.S.C. §112, First Paragraph, Written Description Requirement

The Examiner rejected claims 10-12 under 35 U.S.C. §112, first paragraph, as failing to meet the written description requirement. Specifically, the reference to, "the overlap of the longitudinal ends are at least 50%," was deemed to be unsupported.

Response

By this Response and Amendment, the rejections to claim 10-12 are respectfully traversed, and reconsideration and withdrawal of the rejection are respectfully requested.

Claim 10 now describes, "providing an overlap of the longitudinal ends extending over at least 50% of a total width of the bands." This is believed to properly reflect the description in the specification, at page 10 line 18 - page 11, line 11 (paragraph [0070]). In this regard, Applicants refer to the arguments presented in the Remarks submitted with the Amendment filed September 24, 2009, in which the overlap is described with respect to novelty.

Hence, Applicant submits that the language in claim 10 is fully supported by the specification and the rejections of Claims 10-12 under 35 U.S.C. §112 are overcome. It is therefore respectfully submitted that the rejection under 35 U.S.C. §112 should be withdrawn.

CONCLUSION

In light of the foregoing, Applicants submit that the application is in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner call the undersigned.

Respectfully submitted,
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